

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2002-122

March 3, 2003

PUBLIC UTILITIES COMMISSION
Investigation of WebNet Communications, Inc.

MOTION TO ESTABLISH
SCHEDULE

The Commission's Prosecutorial Staff (Staff) respectfully requests that the Hearing Examiner convene a conference call for the purposes of establishing a schedule for this proceeding.

On January 30, 2003, Staff and WebNet filed a Joint Motion for a Stay until February 28, 2003, for the purposes of conducting mediation. We stated in that Motion that we would report back by February 24, 2003. At this time, no settlement has been reached and thus Staff wishes to proceed as expeditiously as possible.

Listed below are the matters Staff believes to be outstanding and a proposed timeframe for completing each step of the litigation:

1. **WebNet's 12/19/02 Request for Production of Documents to Staff.** Staff can provide responses to this request by March 7, 2003, and will do so if directed by the Hearing Examiner.

2. **Staff's 12/20/02 Interrogatories to WebNet.** No objections were filed by WebNet to these requests (and any objections filed now would be out of time and invalid). A due date needs to be set. Staff proposes 15 days from the date of procedural schedule.

3. **Staff's 12/20/02 Request for Production of Documents to WebNet.** WebNet filed objections to the Request. Staff has orally indicated that it would voluntarily restrict time and geographic scope. Staff will put specific limitations in writing by March 7, 2003, if directed by the Hearing Examiner. Staff expects, based on conversations with WebNet, that WebNet will continue to object to some of the document requests. Accordingly, a time should be set for a teleconference to resolve the objections. Staff requests that this be done as soon as possible so that WebNet can produce the documents within 15 days of the procedural schedule.

4. **Staff's 12/20/02 Notice of Depositions.** Staff intends to move forward with these depositions and to require attendance in person at the PUC. Staff expects that WebNet will file motions to quash. Staff proposes a deadline for the Motions to Quash of March 7, 2003, and that a teleconference be set to resolve the Motions by March 12, 2003, so that the depositions may take place by the end of March.

5. **Amended Prosecutor's Report .** Staff can have this ready to be filed by March 7, 2003, and will do so if directed by the Hearing Examiner.

6. **Pre-filed Testimony.** Staff proposes that Staff file its testimony 10 days after the WebNet depositions and that WebNet file its testimony 14 days after the Staff. The OPA should be contacted regarding whether they intend to file testimony and when the appropriate time for such testimony would be.

Thus, Staff respectfully requests that a procedural schedule be established as soon as possible so that this matter might be concluded no later than April 30, 2003.

Trina M. Bragdon
On behalf of the
Prosecutorial Staff